RESULTS OF INVESTIGATION: The above-mentioned literature was printed for the consignee and was distributed by him to prospective customers (individuals) and to drug stores that stocked the product.

LABEL, IN PART: (Bottle) "W. H. Peters Char-Co Compound Treatment for Alleviation of Stomach Distress Symptoms Due to Excess Acid * * * Contents: Charcoal, Milk Magnesia, Magnesium Trisilicate, Aluminum Hydroxide Gel."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the above-mentioned display posters and in the leaflets accompanying the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for stomach ulcers and stomach trouble, whereas the article was not an adequate and effective treatment for such conditions.

Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use in the treatment of stomach ulcers and stomach trouble, which were the conditions for which the article was intended.

The article was misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: August 26, 1953. W. H. Peters, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

4190. Misbranding of Magnetic Ray belt. U. S. v. 5 Devices, etc. (F. D. C. No. 35293. Sample No. 59163–L.)

LIBEL FILED: June 11, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about April 29, 1953, from Coppell, Tex., by F. B. Moran, doing business as the Magnetic Ray Co.

PRODUCT: 5 unlabeled devices known as *Magnetic Ray belt* at St. Petersburg, Fla., in the possession of F. H. Squire, together with a number of testimonial letters accompanying the devices. The device consisted essentially of a circular coil of electric wire, with an electric plug attachment for plugging into the house current.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the device, namely, the above-mentioned testimonial letters which were used by F. H. Squire to promote the sale and rental of the device, contained statements which were false and misleading. The statements represented and suggested that the device provided an adequate and effective treatment for headache, insomnia, impaired heart action, constipation, abnormal blood pressure, paralytic stroke, bad veins, epilepsy, tumors, lumbago, asthma, hardening of the arteries, arthritis, varicose veins, and tonsillitis. The device did not provide an adequate and effective treatment for such conditions. The device was misbranded in the above respects while held for sale after shipment in interstate commerce.

Further misbranding, Section 502 (b) (1), the device failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (f) (1), the device, when introduced into interstate commerce, was intended for use in the cure, mitigation, and treatment of disease in man, and it neither bore nor was accompanied by labeling bearing adequate directions for use since it had no labeling. The device was misbranded in these respects when introduced into and while in interstate commerce.

DISPOSITION: September 30, 1953. Default decree of condemnation. The court ordered that the devices and testimonial letters be delivered to the Food and Drug Administration.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

4191. Adulteration of posterior pituitary injection. U. S. v. Cleo O. Bedwell. Plea of nolo contendere. Fine, $50. (F. D. C. No. 33778. Sample Nos. 17304–L, 17329–L.)

INFORMATION FILED: June 2, 1953, Southern District of California, against Cleo O. Bedwell, president of the Coast Chemical Co., a corporation, Los Angeles, Calif.

ALLEGED VIOLATION: On or about January 18 and May 1, 1952, the defendant caused to be given to firms engaged in the business of shipping drugs in interstate commerce, invoices containing guaranties to the effect that the *posterior pituitary injection* listed in the invoices and delivered by the defendant under the guaranties would not be adulterated. On or about January 18 and May 1, 1952, the defendant caused to be delivered to the holders of the guaranties, at Los Angeles, Calif., quantities of *posterior pituitary injections* which were adulterated.

LABEL, IN PART: (Vials) "Post Pituitary Solution U. S. P. * * * Towne, Paulsen & Co., Inc. Distributors Pasadena, Cal." and "Obstetrical Pituitary U. S. P. * * * Medical Specialties Co. Los Angeles, Calif."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Posterior Pituitary Injection," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from the official standard since each cubic centimeter of the article possessed an activity equivalent to less than 8.5 U. S. P. posterior pituitary units, whereas the standard provides that each cubic centimeter of posterior pituitary injection possesses an activity equivalent to not less than 8.5 U. S. P. posterior pituitary units; and the difference in strength of the article from the standard was not plainly stated, or stated at all, on its label.

DISPOSITION: August 17, 1953. The defendant having entered a plea of nolo contendere, the court fined him $50.

4192. Adulteration and misbranding of Yale Testrex tablets. U. S. v. Captivante Laboratories, Inc., and Paul Thomas. Pleas of guilty. Fine of $150 against corporation and $300 against individual. (F. D. C. No. 34860. Sample Nos. 32442–L, 32449–L, 34692–L.)

INFORMATION FILED: May 6, 1953, Southern District of New York, against Captivante Laboratories, Inc., New York, N. Y., and Paul Thomas, president of the corporation.

ALLEGED SHIPMENT: On or about March 28, April 22, and May 29, 1952, from the State of New York into the State of Arkansas.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess. Some of the tablets were represented to contain 2.5 milligrams of methyltestosterone and other tablets were represented to contain 5 milligrams of methyltestosterone, whereas the tablets contained less methyltestosterone than represented.